

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

120

CWP-19705 of 2022

Date of decision : 02.09.2022

Jaswant Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Varun Dhawan, Advocate for the petitioner.

Ms. Ambika Bedi, AAG Punjab.

VIKAS SURI, J. (Oral)

Prayer in the petition under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release all retiral benefits and balance amount of provident fund to the petitioner along with interest.

Learned counsel would submit that the petitioner retired on 31.05.2022, after attaining the age of superannuation, from the post of Junior Assistant, Nagar Panchayat, Makhu, Tehsil Zira, District Ferozepur. It is claimed in the petition that total retiral dues of the petitioner are more than Rs.16,00,000/- and whereas even after having put in 29 years of service, the retiral benefits have not been released. It has further been averred that no departmental proceedings or enquiry was pending against the petitioner at the time of his retirement. Learned counsel, on instructions from the petitioner, has restricted his prayer, at this stage and submits that the petitioner would be satisfied in case the legal notice dated 01.08.2022 (Annexure P-2), is considered and decided by passing a speaking order within some stipulated time.

Notice of motion to the limited extent.

Ms. Ambika Bedi, AAG Punjab, accepts notice on behalf of the respondent Nos.1 and 2 and waives service. Advance copy of the writ petition stands served. She does not raise any serious objection to the restricted prayer made.

As the petition is not being disposed of on merits, therefore, service upon respondent No.3, at this stage, is dispensed with.

Heard learned counsel for the parties.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, respondent No.2 is directed to consider and decide the legal notice dated 01.08.2022 (Annexure P-2), in accordance with law, by passing a speaking order within a period of six weeks from the date of receipt of certified copy of this order.

In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

September 02, 2022
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No